

3. Nathan Pitt
c/o Keith Vonderahe, Esq.
Robert L. Burkart, Esq.
ZIEMER, STAYMAN, WEITZEL & SHOULDERS, LLP

Officer Pitt's expected testimony will include, but not be limited to, information related to (1) policies and procedures of the Evansville Police Department in dealing with arrestees who are under the influence of drugs, including but not limited to LSD and marijuana; (2) policies and procedures for transporting arrestees who display obvious signs of impairment from the use of drugs; (3) policies and procedures for providing medical care to arrestees who are in obvious medical distress; (4) policies and procedures for securing arrestees who are likely to harm themselves during transport; (5) the activities that took place during the arrest and transport of Evan to Deaconess Hospital on November 14, 2020; (6) Evan's mental and physical condition during his arrest and transport on November 14, 2020; (7) interaction with Evan on November 14, 2020; and (8) training received from the Evansville Police Department.

4. Jacqueline A. Duff
c/o Keith Vonderahe, Esq.
Robert L. Burkart, Esq.
ZIEMER, STAYMAN, WEITZEL & SHOULDERS, LLP

Officer Duff's expected testimony will include, but not be limited to, information related to (1) policies and procedures of the Evansville Police Department in dealing with arrestees who are under the influence of drugs, including but not limited to LSD and marijuana; (2) policies and procedures for transporting arrestees who display obvious signs of impairment from the use of drugs; (3) policies and procedures for providing medical care to arrestees who are in obvious medical distress; (4) policies and procedures for securing arrestees who are likely to harm themselves during transport; (5) the activities that took place during the arrest and transport of Evan to Deaconess Hospital on November 14, 2020; (6) Evan's mental and physical condition during his arrest and transport on November 14, 2020; (7) interaction with Evan on November 14, 2020; and (8) training received from the Evansville Police Department.

5. Cory Offerman
c/o Keith Vonderahe, Esq.
Robert L. Burkart, Esq.
ZIEMER, STAYMAN, WEITZEL & SHOULDERS, LLP

Officer Offerman's expected testimony will include, but not be limited to, information related to (1) policies and procedures of the Evansville Police Department in dealing with arrestees who are under the influence of drugs, including but not limited to LSD and marijuana; (2) policies and procedures for transporting arrestees who display obvious signs of impairment from the use of drugs; (3) policies and procedures for providing medical care to arrestees who are in obvious medical distress; (4) policies

and procedures for securing arrestees who are likely to harm themselves during transport; (5) the activities that took place during the arrest and transport of Evan to Deaconess Hospital on November 14, 2020; (6) Evan's mental and physical condition during his arrest and transport on November 14, 2020; (7) interaction with Evan on November 14, 2020; and (8) training received from the Evansville Police Department.

6. K. Howard
c/o Keith Vonderahe, Esq.
Robert L. Burkart, Esq.
ZIEMER, STAYMAN, WEITZEL & SHOULDERS, LLP

Officer Howard's expected testimony will include, but not be limited to, information related to (1) policies and procedures of the Evansville Police Department in dealing with arrestees who are under the influence of drugs, including but not limited to LSD and marijuana; (2) policies and procedures for transporting arrestees who display obvious signs of impairment from the use of drugs; (3) policies and procedures for providing medical care to arrestees who are in obvious medical distress; (4) policies and procedures for securing arrestees who are likely to harm themselves during transport; (5) the activities that took place during the arrest and transport of Evan to Deaconess Hospital on November 14, 2020; (6) Evan's mental and physical condition during his arrest and transport on November 14, 2020; (7) interaction with Evan on November 14, 2020; and (8) training received from the Evansville Police Department.

7. Trendon Amuzie
c/o Keith Vonderahe, Esq.
Robert L. Burkart, Esq.
ZIEMER, STAYMAN, WEITZEL & SHOULDERS, LLP

Officer Amuzie's expected testimony will include, but not be limited to, information related to (1) policies and procedures of the Evansville Police Department in dealing with arrestees who are under the influence of drugs, including but not limited to LSD and marijuana; (2) policies and procedures for transporting arrestees who display obvious signs of impairment from the use of drugs; (3) policies and procedures for providing medical care to arrestees who are in obvious medical distress; (4) policies and procedures for securing arrestees who are likely to harm themselves during transport; (5) the activities that took place during the arrest and transport of Evan to Deaconess Hospital on November 14, 2020; (6) Evan's mental and physical condition during his arrest and transport on November 14, 2020; (7) interaction with Evan on November 14, 2020; and (8) training received from the Evansville Police Department.

8. Chris Egan
c/o Keith Vonderahe, Esq.
Robert L. Burkart, Esq.
ZIEMER, STAYMAN, WEITZEL & SHOULDERS, LLP

Officer Egan's expected testimony will include, but not be limited to, information related to (1) policies and procedures of the Evansville Police Department in dealing with arrestees who are under the influence of drugs, including but not limited to LSD and marijuana; (2) policies and procedures for transporting arrestees who display obvious signs of impairment from the use of drugs; (3) policies and procedures for providing medical care to arrestees who are in obvious medical distress; (4) policies and procedures for securing arrestees who are likely to harm themselves during transport; (5) the activities that took place during the arrest and transport of Evan to Deaconess Hospital on November 14, 2020; (6) Evan's mental and physical condition during his arrest and transport on November 14, 2020; (7) interaction with Evan on November 14, 2020; and (8) training received from the Evansville Police Department.

9. John McQuay
c/o Keith Vonderahe, Esq.
Robert L. Burkart, Esq.
ZIEMER, STAYMAN, WEITZEL & SHOULDERS, LLP

Officer McQuay's expected testimony will include, but not be limited to, information related to (1) policies and procedures of the Evansville Police Department in dealing with arrestees who are under the influence of drugs, including but not limited to LSD and marijuana; (2) policies and procedures for transporting arrestees who display obvious signs of impairment from the use of drugs; (3) policies and procedures for providing medical care to arrestees who are in obvious medical distress; (4) policies and procedures for securing arrestees who are likely to harm themselves during transport; (5) the activities that took place during the arrest and transport of Evan to Deaconess Hospital on November 14, 2020; (6) Evan's mental and physical condition during his arrest and transport on November 14, 2020; (7) interaction with Evan on November 14, 2020; and (8) training received from the Evansville Police Department.

10. Representatives of the City of Evansville
c/o Keith Vonderahe, Esq.
Robert L. Burkart, Esq.
ZIEMER, STAYMAN, WEITZEL & SHOULDERS, LLP

Expected testimony will include, but not be limited to, information related to (1) policies, procedures and training of officers of the Evansville Police Department in identifying and/responding to arrestees who are under the influence of drugs, including but not limited to LSD and marijuana; (2) policies, procedures and training of officers regarding transporting arrestees who display obvious signs of impairment from the use of drugs; (3) policies, procedures and training of officers regarding providing medical care to arrestees who are in obvious medical distress; (4) policies, procedures and

training of officers regarding safely securing arrestees who are likely to hurt themselves during transport; (5) investigation of the November 14, 2020 arrest and transport of Evan to Deaconess Hospital on November 14, 2020; (6) disciplinary actions, if any, taken against the Defendant Officers, and (7) the purchase and equipping of the transport wagon used to transport Evan on the day of the incident.

11. Dr. Alex Baronowsky, Dr. Chou, Dr. Vardi, and yet to be identified medical providers
Deaconess Midtown Hospital
600 Mary Street
Evansville, IN 47710

Testimony will include, but be limited to, Evan's condition upon arrival at Deaconess Hospital on November 14, 2020; treatment rendered, including surgical procedures, from November 14, 2020 – November 17, 2020; interaction with Defendant Officers on November 14, 2020 concerning the transport and condition of Evan prior to and upon arrival at Deaconess Hospital.

12. Steven W. Lockyear, Coroner
Vanderburgh County Coroner's Office
201 South Morton Avenue
Evansville, IN 47713

Coroner Lockyear's expected testimony will include but not be limited to information related to the autopsy of Evan Terhune.

13. Matthew D. Kohl, Deputy Coroner
Vanderburgh County Coroner's Office
201 South Morton Avenue
Evansville, IN 47713

Deputy Coroner Kohl's expected testimony will include but not be limited to information related to the autopsy of Evan Terhune.

14. Christopher Kiefer, MD
Blue Key Forensic Pathology
140 South Main Street
Madisonville, KY 42431

Dr. Kiefer's expected testimony will include but not be limited to information related to the autopsy of Evan Terhune.

15. Agents, employees and representative(s) of NMS Labs
200 Welsh Road
Horsham, PA 19044

Expected testimony will include but not be limited to analysis of blood and vitreous fluid samples taken from Evan Terhune and the January 15, 2021 toxicology report.

16. Investigator K.A. Campbell's (2X1379)
Evansville Police Department
15 NW Martin Luther King, Jr. Boulevard
Evansville, IN 47708

Investigator Campbell's expected testimony will include but not be limited to information related to the investigation of the November 14, 2020 arrest and transport to Deaconess Hospital of Evan Terhune.

17. D.E. Thompson (2X5136)
Evansville Police Department
15 NW Martin Luther King, Jr. Boulevard
Evansville, IN 47708

Supervisor Thompson's expected testimony will include but not be limited to information related to the investigation of the November 14, 2020 arrest and transport to Deaconess Hospital of Evan Terhune.

18. Officer Ch. Miles (2X1504)
Evansville Police Department
15 NW Martin Luther King, Jr. Boulevard
Evansville, IN 47708

Officer Miles' expected testimony will including, but not be limited to, information related to his participation in the arrest, transport of Evan Terhune the evening of November 14, 2020, and investigation, and the actions of the Defendant officers.

19. Officer P. Klein (1430)
Evansville Police Department
15 NW Martin Luther King, Jr. Boulevard
Evansville, IN 47708

Officer Klein's expected testimony will including, but not be limited to, information related to his participation in the arrest, transport of Evan Terhune the evening of November 14, 2020, and investigation, and the actions of the Defendant officers.

20. Detective Aaron McCormick (2X1345)
Evansville Police Department
15 NW Martin Luther King, Jr. Boulevard
Evansville, IN 47708

Detective McCormick's expected testimony will include but not be limited to information related to the investigation of the November 14, 2020 arrest and transport to Deaconess Hospital of Evan Terhune and the autopsy of Evan Terhune.

21. Sgt. W. Arbaugh (5196)
Evansville Police Department
15 NW Martin Luther King, Jr. Boulevard
Evansville, IN 47708

Sgt. Arbaugh's expected testimony will including, but not be limited to, information related to his participation in the arrest, transport of Evan Terhune the evening of November 14, 2020, and investigation, and the actions of the Defendant officers.

22. Sgt. Deb Thompson
Evansville Police Department
15 NW Martin Luther King, Jr. Boulevard
Evansville, IN 47708

Sgt. Thompson's expected testimony will including, but not be limited to, information related to her participation in the arrest, transport of Evan Terhune the evening of November 14, 2020, and investigation, and the actions of the Defendant officers.

23. Officer C. Staats (2X1479)
Evansville Police Department
15 NW Martin Luther King, Jr. Boulevard
Evansville, IN 47708

Officer Staat's expected testimony will including, but not be limited to, information related to his participation in the arrest, transport of Evan Terhune the evening of November 14, 2020, and investigation, and the actions of the Defendant officers.

24. Detective Nick P. Henderson (2X1134)
Evansville Police Department
15 NW Martin Luther King, Jr. Boulevard
Evansville, IN 47708

Detective Henderson's expected testimony will include but not be limited to information related to the investigation of the November 14, 2020 arrest and transport to Deaconess Hospital of Evan Terhune and the autopsy of Evan Terhune.

25. Officer A. Fahse (2X1452)
Evansville Police Department
15 NW Martin Luther King, Jr. Boulevard
Evansville, IN 47708

Officer Fahse's expected testimony will including, but not be limited to, information related to his participation in the arrest, transport of Evan Terhune the evening of November 14, 2020, and investigation, and the actions of the Defendant officers.

26. Officer H. Adams (2X1404)
Evansville Police Department
15 NW Martin Luther King, Jr. Boulevard
Evansville, IN 47708

Officer Adams' expected testimony will including, but not be limited to, information related to his participation in the arrest, transport of Evan Terhune the evening of November 14, 2020, and investigation, and the actions of the Defendant officers.

27. Officer N. Aghasaryan (2X1487)
Evansville Police Department
15 NW Martin Luther King, Jr. Boulevard
Evansville, IN 47708

Officer Aghasaryan's expected testimony will including, but not be limited to, information related to his participation in the arrest, transport of Evan Terhune the evening of November 14, 2020, and investigation, and the actions of the Defendant officers.

28. Officer Mastoridis
Evansville Police Department
15 NW Martin Luther King, Jr. Boulevard
Evansville, IN 47708

Officer Mastoridis' expected testimony will including, but not be limited to, information related to his participation in the arrest, transport of Evan Terhune the evening of November 14, 2020, and investigation, and the actions of the Defendant officers.

29. Jesse Shaheen Elijah Jitta
1014 Hatfield Drive
Evansville, IN 47715

Mr. Jitta's testimony will include, but not be limited to, (1) the events that took place at 1136 Loft Cove, Evansville, Indiana the evening of November 14, 2020, (2) Evan's behavior and mental status during the evening of November 14, 2020 before and after his arrest; and (3) the actions of the responding Evansville Police officers upon arrival at 1136 Loft Cove, Evansville, Indiana and during the arrest and detainment of Evan the evening of November 14, 2020.

30. Dalton A. Summers
1136 Loft Cove
Evansville, IN 47715

Mr. Summer's testimony will include, but not be limited to, (1) the events that took place at 1136 Loft Cove, Evansville, Indiana the evening of November 14, 2020, (2) Evan's behavior and mental status during the evening of November 14, 2020 before and after his arrest; and (3) the actions of the responding Evansville Police officers upon arrival at 1136 Loft Cove, Evansville, Indiana and during the arrest and detainment of Evan the evening of November 14, 2020.

31. Ethan S. Berich
500 Kenwood Court, Apt. B
Newburgh, IN 47630

Mr. Berich's testimony will include, but not be limited to, (1) the events that took place at 1136 Loft Cove, Evansville, Indiana the evening of November 14, 2020, (2) Evan's behavior and mental status during the evening of November 14, 2020 before and after his arrest; and (3) the actions of the responding Evansville Police officers upon arrival at 1136 Loft Cove, Evansville, Indiana and during the arrest and detainment of Evan the evening of November 14, 2020.

32. Joshua T. Winkley
1113 Bell Road
Newburgh, IN 47630

Mr. Winkley's testimony will include, but not be limited to, (1) the events that took place at 1136 Loft Cove, Evansville, Indiana the evening of November 14, 2020, (2) Evan's behavior and mental status during the evening of November 14, 2020 before and after his arrest; and (3) the actions of the responding Evansville Police officers upon arrival at 1136 Loft Cove, Evansville, Indiana and during the arrest and detainment of Evan the evening of November 14, 2020.

33. Mary Ellen Laughlin
1136 Loft Cove
Evansville, IN 47711

Ms. Laughlin's testimony will include, but not be limited to, (1) the events that took place at 1136 Loft Cove, Evansville, Indiana the evening of November 14, 2020, (2) Evan's behavior and mental status during the evening of November 14, 2020 before and after his arrest; and (3) the actions of the responding Evansville Police officers upon arrival at 1136 Loft Cove, Evansville, Indiana and during the arrest and detainment of Evan the evening of November 14, 2020.

34. Zane W. Smith
4333 Bell Road South
Newburgh, IN 47630

Mr. Smith's testimony will include, but not be limited to, (1) the events that took place at 1136 Loft Cove, Evansville, Indiana the evening of November 14, 2020, (2) Evan's behavior and mental status during the evening of November 14, 2020 before and after his arrest; and (3) the actions of the responding Evansville Police officers upon arrival at 1136 Loft Cove, Evansville, Indiana and during the arrest and detainment of Evan the evening of November 14, 2020.

35. All personnel of the Evansville Police Department not yet identified, who participated in the investigation, arrest or transport of Evan Terhune on November 14, 2020.

36. Representatives of the Evansville Police Department
c/o Keith Vonderahe, Esq.
Robert L. Burkart, Esq.
ZIEMER, STAYMAN, WEITZEL & SHOULDERS, LLP

Representatives of the Evansville Police Department who have knowledge about the policies and standard operating procedures in effect on November 14, 2020, including but not limited to the following: (1) policies, procedures and training of officers of the Evansville Police Department in identifying and/responding to arrestees who are under the influence of drugs, including but not limited to LSD and marijuana; (2) policies, procedures and training of officers regarding transporting arrestees who display obvious signs of impairment from the use of drugs; (3) policies, procedures and training of officers regarding providing medical care to arrestees who are in obvious medical distress; (4) policies, procedures and training of officers regarding safely securing arrestees who are likely to hurt themselves during transport; (5) investigation of the November 14, 2020 arrest and transport of Evan to Deaconess Hospital on November 14, 2020; (6) disciplinary actions, if any, taken against the Defendant Officers, and (7) the purchase and equipping of the transport wagon used to transport Evan on the day of the incident.

37. Family members and friends of Evan Terhune who can testify as to his relationship with this parents.
38. Any and all medical personnel, not previously identified, who provided treatment to Evan Terhune at any time as a result of the November 14, 2020 incident.
39. All witnesses necessary to lay a proper foundation to admit exhibits.
40. All individuals, presently unknown, who may be required to testify as rebuttal witnesses.
41. All individuals, presently unknown, who are identified through discovery.

42. All witnesses identified by Defendants in their respective preliminary, final and supplemental witness lists and in their initial disclosures pursuant to Rule 26(a).

Plaintiffs reserve the right to amend this list should additional witnesses be identified through discovery. This list does not include rebuttal witnesses or expert witnesses which will be disclosed in accordance with the approved *Case Management Plan*.

EXHIBIT LIST

1. Non-Party Response of the Vanderburgh Coroner's (Case No. 330-20), including:
 - Autopsy photographs
 - April 12, 2021 Post Mortem Examination Report prepared by Christopher J. Kiefer, M.D.
 - January 15, 2021 NMS Labs Toxicology Report
 - April 14, 2021 letters to Plaintiffs from Vanderburgh Coroner's Office regarding availability of autopsy and toxicology reports of Evan Terhune
 - April 14, 2021 letters to Plaintiffs from Vanderburgh Coroner's Office regarding Evan Terhune's cause of death
 - Vanderburgh County Coroner Morgue Sheet for Evan Terhune
 - Provisional Notification of Death – Burial Transit Permit for Evan Terhune
 - April 20, 2021 letter to Jamie Polk, paralegal (Wagner Reese, LLP) from Vanderburgh Coroner's Office acknowledging request for autopsy report
 - Inquest No. 3912 re Evan Terhune signed by Steven W. Lockyear, Coroner and Matthew Kohl, Deputy Coroner
 - November 18, 2020 Supplemental Death Report signed by Deputy Coroner Matthew D. Kohl
 - Death Certificate of Evan Terhune
 - November 14, 2020 Evansville Police Department Incident/Investigation Report.
2. Deaconess Hospital medical records and itemized billing statement for treatment rendered to Evan Terhune as a result of the November 14, 2020 incident.
3. Yet to be identified medical records and itemized billing statements for treatment rendered to Evan Terhune as a result of the November 14, 2020 incident.
4. May 12, 2021 Letter from United Healthcare regarding lien for treatment rendered to Evan Terhune as result of the November 14, 2020 incident.
5. Funeral and Burial expenses.
6. Injury photographs of Even Terhune, taken by Plaintiffs.
7. May 6, 2021 Tort Claim Notice.

8. Non-Party Response – Evansville Police Department regarding the November 14, 2020 incidence involving Evan Terhune, including but not limited to:
 - Recorded interview of Summer Dalton, Ethan Berich, Jesse Jitta, and Mary Laughlin
 - Case File 20-20668, including Investigation/Incident reports and written statements
 - Emails regarding November 14, 2020 incident and request for documents
 - Central Dispatch audio
 - Scene photographs
 - Hospital photographs
 - Autopsy photographs
 - Injury photographs of Ethan Berich
 - Injury photographs of Officer Nathan Pitts
 - Dash Cam videos for officers on scene
 - Taser Deployment video
 - Transport wagon video
 - Officer interview videos.
9. News articles regarding the arrest, death of Evan Terhune, and lawsuit filed.
10. Photographs of Evan Terhune and his family prior to November 14, 2020.
11. Policies and procedures, training materials, memos, bulletins, and employment handbooks, for the Evansville Police Department, including but not limited to:
 - policies, procedures and training of officers of the Evansville Police Department in identifying and/responding to arrestees who are under the influence of drugs, including but not limited to LSD and marijuana.
 - policies, procedures and training of officers regarding transporting arrestees who display obvious signs of impairment from the use of drugs.
 - policies, procedures and training of officers regarding providing medical care to arrestees who are in obvious medical distress.
 - policies, procedures and training of officers regarding safely securing arrestees who are likely to hurt themselves during transport.
12. All items taken from Evan Terhune's person by Defendants or their agents or employees.
13. The transport wagon which transported Evan Terhune shortly before his death.
14. Documents pertaining to the transport wagon which transported Evan Terhune shortly before his death, including photographs, video, purchase documents, and maintenance records.

15. Employment files for all Evansville Police Department officers, including the named Defendants that had contact with Evan Terhune during his arrest and transport to Deaconess Hospital on November 14, 2020.
16. Communication calls and radio traffic transcripts, including audio, of any law enforcement agency related to the arrest and death of Evan Terhune.
17. Evan Terhune's employment records, including W2s and/or 1099s .
18. All documents, videos, photographs, recordings, transcripts, etc. provided in Response to any parties Request for Production of Documents.
19. All documents, videos, photographs, recordings, transcripts, etc. provided in Response to any Non-Party Request for Production of Documents.
20. All answers to any parties Interrogatories.
21. All deposition transcripts for all Defendants and all witnesses in this litigation.
22. All exhibits identified by Defendants in their Preliminary, Final, and Supplemental Exhibit Lists or in their initial disclosures pursuant to Rule 26(a).
23. All exhibits, presently unknown, which are identified through discovery.
24. All exhibits, presently unknown, which may be introduced as rebuttal evidence.

Plaintiffs reserve the right to amend this list should additional exhibits be identified through discovery and in accordance with the Case Management Plan and any amendments thereto.

The above lists do not include witnesses or exhibits to be used for purposes of rebuttal, impeachment, or demonstrative evidence. Further, Plaintiffs reserve the right to add witnesses and exhibits as their identities and existence become known. Plaintiffs will promptly notify Defendants and supplement these lists with any witnesses or exhibits as they become known.

Respectfully submitted,

WAGNER REESE, LLP

/s/ Stephen M. Wagner

Stephen M. Wagner, #18248-49

11989 North Meridian Street, Suite 100

Carmel, IN 46032

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Attorney for Plaintiffs

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and exact copy of the above and foregoing was electronically filed on the 15th day of March, 2023. Notice of this filing will be sent to the following parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

Keith Vonderahe, Esq.
Robert L. Burkart, Esq.
Matthew S. Koressel, Esq.
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rburkart@zsws.com
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/s/ Stephen M. Wagner

Stephen M. Wagner